

REISSUE PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of)	
U.S. Patent No. 5,945,416)	
)	Confirmation No.:
Applicants: Shannon, et al.)	9165
)	
Application No.: 09/935,513)	Group Art Unit:
)	1617
)	
Filed: August 22, 2001)	Examiner:
)	Shengjun Wang
For: METHOD FOR TREATING PAIN)	
)	
Docket No.: X-10576A)	

SUPPLEMENTAL REISSUE DECLARATION

Commissioner for Patents
P. O. Box 1450
Arlington, VA 22313-1450

Sir:

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which United States Patent No. 5,945,416 was granted on the invention entitled

Method for Treating Pain

the specification of which:

☐ is attached hereto

☒ was filed on March 24, 1997 as United States Application Serial No. 08/823,461

whereof Eli Lilly and Company, on whose behalf and with whose assent this application is made, is now sole owner by assignment, and for which invention I solicit a reissue patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification including the pending claims 12-14.

I acknowledge the duty to disclose all information known to me which is material to patentability as defined in 37 C.F.R. § 1.56.

I believe United States Letters Patent No. 5,945,416 to be at least partly inoperative or invalid for the reason that I claimed more or less than I had the right to claim in the patent. At least one error upon which reissue is based is described below:

More particularly, it was error not to include the specific weight ratio of olanzapine to Drug Useful in the Treatment of Pain in claim 12. By not including this specific weight ratio, I erroneously claimed less than I had a right to claim.

I state that every error in the patent which was corrected in the present reissue application, and is not covered by the prior declarations submitted in this application, arose without any deceptive intention on my part.

Since this reissue application was filed within two years of the issue date of United States Letters Patent No. 5,945,416, broader claims than those in the issued patent are permissible.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of Sole or

First Joint Inventor : Harlan Edgar Shannon

Inventor's Signature : Harlan Edgar Shannon Date: 2 August, 2006

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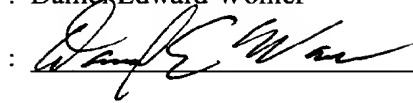
Citizenship : U.S.A.

Docket No. X-10576A

Full Name of Second

Joint Inventor, if Any : Daniel Edward Womer

Inventor's Signature :



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